

REMARKS

Favorable reconsideration and allowance of this application are requested.

I. Concurrent Filing of Request for Continued Examination

As a procedural note, the present amendment is being filed concurrently with a formal Request for Continued Examination (RCE) under 37 CFR §1.114. Accordingly withdrawal of the "finality" of the March 9, 2007 Official Action is in order so as to allow entry and consideration of the amendments and remarks presented herewith.

II. Discussion of Claim Amendments

By way of the amendment instructions above, prior dependent claim 10 has been recast in independent form. Claims 1-9 have been cancelled and replaced by new claims 13-17 which are dependent from dependent from claim 10. New claims 13-17 are based substantively on prior claims 4-5 and 7-9, respectively, but are commensurate with the expressions now employed in claim 10.

Claim 10 has also been further amended so as to emphasize that the shaped member is one which transmits a laser beam to be bonded with a counterpart shaped member by laser welding. Support for such expressions may be found, for example, in the originally filed specification at page 21, lines 9-11 and page 23, lines 2-8.

Claims 11 and 12 directed to a patentably distinct invention non-elected for prosecution have been cancelled. However, cancellation of such non-elected claims has been effected without prejudice to the applicants' rights under 35 USC §121.

Accordingly following entry of this amendment, claims 10 and 13-17 will remain pending herein for which favorable reconsideration and allowance are solicited.

III. Novelty and Unobviousness of the Present Invention

(1) The Examiner's Position

The Examiner asserts that the present invention is anticipated by (35 USC §102(b)), or rendered obvious (35 USC §103(a)) from JP2000007902 (JP '902).

In addition, the Examiner cites new references JP05032800 (JP '800), Uno 2002/0188073 (UNO '073) and JP11049937 (JP '937), and asserts that the present invention is likewise anticipated by, or rendered obvious over the such references.

As will become evident from the following discussion, the present claims pending herein are both novel and unobvious over the applied references of record.

(2) The Applied References

(i) With regard to the previously cited JP '902 reference, the Examiner's attention is directed to the discussion thereof in the applicants' Amendment dated January 9, 2007 at the ultimate paragraph on page 6 bridging page 7, line 9.

(ii) JP '800 discloses a polyester-series resin composition comprising (a) a copolyester derived from at least one diol component selected from the group consisting of an aliphatic diol, an alicyclic diol and an aromatic diol, and a dicarboxylic component consisting of terephthalic acid or two or more dicarboxylic acids comprising at least terephthalic acid (provided that the diol component is not a single component selected from the aliphatic diol, alicyclic diol and aromatic diol, when the dicarboxylic acid component is terephthalic acid), and (bi) a polycarbonate (claim 1).

JP '800 provides the following disclosure in the Examples 1 and 4:

"A copolyester (80 parts by weight) of a dicarboxylic acid (50 mol%) consisting of terephthalic acid/isophthalic acid=87.5/12.5 (molar ratio) and 1,4-butandiol (50 mol%) and a bisphenol A-based polycarbonate (20 parts by weight) were melt-mixed in advance to provide a master-batch having a uniform formulation. The master-batch was subjected to molding by T-die extruder to provide a single-layered film having a thickness of 40 μm ."

"...a single-layered film was obtained by a manner similar to that of the Example 1, except that a copolyester (80 parts by weight) of a dicarboxylic acid (50 mol%) consisting of terephthalic acid/isophthalic acid=80.0/20.0 (molar ratio) and 1, 4-butandiol (50 mol%) and a bisphenol A-based polycarbonate (20 parts by weight) was used."

Regarding the effects of the composition, JP '800 discloses that the polyester-series resin composition is useful for obtaining a film showing high heat resistance and heat seal property, even though the composition is one based on polyester (paragraph [00801]).

(iii) UNO '073 discloses a polyester type resin composition comprising (A) 30 to 95 parts by weight of a polybutylene terephthalate type resin containing a polybutylene terephthalate-isophthalate copolymer in which the content of an isophthalic acid ingredient to the entire dicarboxylic acid ingredient is 3 to 30 mol %, (B) 1 to 30 parts by weight of a polycarbonate resin, (C) 1 to 30 parts by weight of an elastomer and (D) 3 to 60 parts by weight of a fibrous reinforcing material, wherein the total amount for (A)-(D) is 100 parts by weight (claim 1).

UNO '073 provides the following disclosure in the example 8:

"In Comparative Example 8, 35 parts by weight of A-1-1 (polybutylene terephthalate/isophthalate copolymer, isophthalic acid content: 15 mol %), 35 parts by weight of B-1 (polycarbonate resin), 30 parts by weight of D-1 (glass fiber) and 0.3 parts by weight of F-1 were blended and manufactured and evaluated in the same manner as in the examples. As a result, the alkali resistance was insufficient in Comparative Example 7 and no test piece could be sampled in Comparative Example 8 since the moldability was poor. (paragraph [0109]).

Regarding the effects of the disclosed composition, UNO '073 notes that:

"the polyester type resin composition ... has excellent characteristics in the alkali resistance and the mechanical strength. Accordingly, it is useful as molding products by metal insert molding, car mounted components, and molding products used being buried in cement." (paragraph [0116]).

(iv) JP '937 discloses a resin composition for gas-assist injection molding which comprises (A) a polybutylene terephthalate resin. (B) at least one resin selected from the group consisting of a polycarbonate resin (B-1) and a polyethylene terephthalate resin (B-2) and (C) a filler (claim 1).

JP '937 also discloses the following in Example 5:

"Properties of a hollow molded article were evaluated as the same manner as the Example 1 except for using a 12mol% isophthalic acid-modified polybutylene terephthalate copolymer in which 12 mol% of terephthalic acid was substituted with isophthalic acid, instead of the non-modified polybutylene terephthalate resin in the Example 1."
(paragraph [0054]).

It will also be noted that, in the Example 1, a pelletallized resin composition was prepared by adding 30 parts by weight of a bisphenol A-based polycarbonate resin (B-1), 30 parts by weight of a glass fiber (C-1) and 0.30 part by weight of tetrakis (2, 4-di-t-butylphenyl) -4,4'-biphenylenephosphite (D) to 100 parts by weight of a non-modified polybutylene terephthalate resin (A-1) and extruding the resultant mixture with a two-axis extruder.

Regarding the effects of the disclosed composition, JP '937 provides the following disclosure in paragraph [0047]:

"[D]eformation caused by softening of a melted resin before gas injection in the GAI molding can be inhibited and the filler is prevented from appearing to the surface. Therefore, deterioration in the surface appearance properties such as hesitation marks having multiplex wrinkles -- is inhibited and a hollow molded article having excellent surface appearance properties (surface uniformity) and uniformity can be obtained in high productivity."

(3) Comparison of the present invention and the applied references.

The applied references fail to disclose or suggest any shaped member which transmits a laser beam to be bonded with a counterpart shaped member in relation to laser welding, formed from a specific resin composition. Specifically, **none** of the applied references disclose or suggest anything about laser welding and/or the suitability of the therein disclosed compositions to transmit a laser beam so as to be capable of bonding with a counterpart shaped member by means of laser welding.

The Examiner mentions that the compositions disclosed by the applied references must inherently have the properties of the applicant's claims. However, the applied references do not disclose or teach anything about laser beam-transmittable members which may be bonded with a counterpart shaped member. Thus, an ordinarily skilled person would never be motivated to employ the compositions of the applied references. In addition, an ordinarily skilled person could not have predicted from the applied references that the resin compositions disclosed therein would or could be formed into a shaped member which transmits a laser beam to be bonded with a counterpart shaped member by laser welding.

The present invention also shows unexpected results. That is, since JP '902, JP '800, UNO '073 and JP '937 have no relation to laser welding, light transmittance to laser beam and laser weldability of shaped article formed from the resin composition of the applied references would never be motivated from the references.

In direct contrast, according to the present invention, since the shaped member comprises a specific resin composition, the shaped member must have high light transmittance properties with respect to a laser beam and exhibit high laser weldability. Therefore, the shaped member of the present invention ensures excellent bonding properties to a counterpart by laser irradiation for forming a composite article. Such a

MATSUSHIMA et al
Serial No. 10/508,876
June 4, 2007

result is clearly supported by the Examples and would never have been predicted from the cited references.

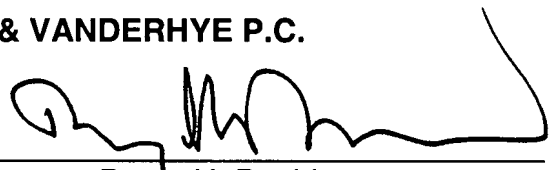
IV. Conclusion

Withdrawal of the rejections advanced under 35 USC §§102(b) and 103(a) is therefore in order.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Bryan H. Davidson
Reg. No. 30,251

BHD:bcf
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100